

REMARKS

Introduction

Claims 1 - 19 were originally pending in this application. Claims 1, 2, 6, 8, and 9 were previously amended, claims 3 – 7 and 9 – 14 were previously cancelled, and claim 20 was previously added. Claim 1 has been amended, claims 2, 8, and 20 have been cancelled, and claim 21 has been added herein. Thus, claims 1, 15 – 19, and 21 remain pending for consideration in the application. No new matter has been added.

Claim Rejections

35 U.S.C. §103(a)

Claims 1, 2, 8, 15, and 17 - 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Hansen '586 patent in view of the Kuntz '880 patent. More specifically, the Examiner stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Hansen to include a spring-biased dowel mount as taught by Kuntz since it is a conventional alternative structure used for the same intended purpose, thereby providing structure as claimed. Also, the Examiner stated that the structure of the Hansen device can both be cantilevered-supported and supported by a leg structure as a structure is entitled to all of its uses. Furthermore, the examiner has given judicial notice that use of clips and a recess for structures in trays is well-known and commercially used. In addition, the Examiner stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify one mount for another mount since such structures are conventional alternative structures used for the same intended purpose of providing an attachment.

Moreover, claim 16 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Hansen '586 patent in view of the Kuntz '880 patent as applied to the claims above and further in

view of the Sammons '202 patent. More specifically, the Examiner stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the invention of Hansen to include a peripheral edge as taught by Sammons since such a structure is conventional and used for the same intended purpose, thereby providing structure as claimed.

The applicants cannot agree that the invention defined in amended claim 1 would have been obvious over the Hansen '586 patent in view of the Kuntz '880 patent. (Claims 2, 8, and 20 have been cancelled herein.) Each of claims 15 - 19 is ultimately dependent upon amended claim 1. Accordingly, these rejections are respectfully traversed.

The Prior Art

The Hansen '586 Patent

The Hansen '586 patent discloses a portable desk 10 for hanging from the rear portion 56 of a seat back 54. The desk 10 includes a table board 12 having substantially planar upper and lower surfaces 14, 16, a top portion 22, and a bottom portion 24. Each of a pair of mounting brackets 28, 30 has a mounting portion 32, 36 securable to the lower surface 16 of the table board 12 and an attachment portion 34, 38 extending beyond the top portion 22 of the table board 12. The attachment portion 34, 38 includes a connection member 40, 42 for releasable attachment to a top 58 of the seat back 54. Support members 46, 48 extend from the lower surface 16 of the table board 12 for bracing the table board 12 against the rear portion 56 of the seat back 54 to define an operational angle of the desk 10 relative to the seat back 54. Finally, a support ledge 26 is disposed along the upper surface 14 of the table board 12 near the bottom portion 24 to provide a brace for materials placed on the upper surface 14 of the table board 12 during use of the desk 10.

In operation, the attachment portions 34, 38 of the respective mounting brackets 28, 30 are placed underneath the top 58 of the seat back 54 so as to engage the corresponding connection members 40, 42 with the top 58. Thus, the top 58 seats in juncture 60, which is defined between the connection members 40, 42 and their respective attachment portions 34, 38. Once this engagement has been accomplished, the table board 12 is allowed to fall and rotate about the juncture 60.

However, the Hansen '586 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle including a spring-biased dowel. More specifically, this patent fails to disclose or suggest the spring-biased dowel integrally connected to and extending at and along an edge of a body of the tray and adapted to be removably disposed between and in contacting relationship with a pair of opposed, spaced structural components of the interior of the vehicle and apply a retaining force in opposite directions with respect to the disposition of the spring-biased dowel and against the structural components. In this way, the body is operatively supportable to the interior of the vehicle in cantilevered and stationary fashion. The Hansen '586 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Kuntz '880 Patent

The Kuntz '880 patent discloses a tissue-roll mounting bracket 43, a roll of toilet tissue 24, and a toilet-tissue mounting roll 50. The mounting roll 50 includes a left side 22 having an outer portion 39 of reduced diameter and a right side 23 having an outer portion 40 of reduced diameter. The mounting bracket 43 has a left-side portion 41 and a right-side portion 42. The outer portion 40 of the right side 23 of the mounting roll 50 has an outwardly-biased right stub portion 44, and the outer portion 39 of the left side 22 of the mounting roll 50 has an outwardly-biased left stub portion

45. Partial opening 48 in the right-side portion 42 of the mounting bracket 43 allows for reception of the right stub portion 44 in the right-side portion 42 of the mounting bracket 43 whereas partial opening 49 of the left-side portion 41 of the mounting bracket 43 allows for reception of the left stub portion 45 in the left-side portion 41 of the mounting bracket 43.

However, the Kuntz '880 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle. The Kuntz '880 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Sammons '202 Patent

The Sammons '202 patent discloses a serving tray adapted to be secured to a dashboard of an automobile and swung outwardly when it is desired to use the tray and about a pivot to be positioned behind or forwardly of the dashboard when the tray is not in use. The tray includes a body portion 1 formed with an upstanding flange 2 surrounding the body portion 1. A pair of spaced combined-bearing-and-hinge members 3, 4 are integrally formed with the body portion 1 and located on one side and adjacent opposite ends of the tray. Locking means are formed in the combined-bearing-and-hinge member 3, 4 for supporting the tray in an extended position when the tray is in use and for locking the tray in a retracted or hidden position when the tray is not in use.

However, the Sammons '202 patent does not disclose or suggest a portable tray for use at multiple locations of the interior of a vehicle including a spring-biased dowel and at least one leg. The Sammons '202 patent also does not disclose or suggest a vehicle including an interior having a plurality of structural components and a tray of the type described above.

The Present Invention

In contrast to the references of record in this case, the present invention as described in independent claim 1, as amended, is directed toward a portable tray for use at multiple locations of the interior of a vehicle. The tray includes a body adapted to be operatively supported to the interior of the vehicle and defines at least one substantially planar work surface. A spring-biased dowel is integrally connected to the body and is adapted to removably support the body to a pair of opposed, spaced structural components of the interior of the vehicle such that the tray can be manually moved and used at various locations within the interior of the vehicle. The spring-biased dowel extends at and substantially along an edge of the body and is adapted to be disposed between and in contacting relationship with the structural components and apply a retaining force in opposite directions with respect to the disposition of the spring-biased dowel and against the structural components. The body is operatively supportable to the interior of the vehicle in cantilevered and stationary fashion. The body includes at least one leg extending from the body and adapted to be supported against at least one structural component of the interior of the vehicle such that the tray is operatively supportable against the interior of the vehicle in non-cantilevered and stationary fashion.

Also in contrast to the references of record in this case, the present invention as described in new independent claim 21 is directed toward a vehicle including an interior having a plurality of structural components and a tray of the type described above.

Argument

35 U.S.C. § 103(a)

In the “Response to Arguments” section of “Office Action,” the Examiner states:

[T]he claim language recites structure that can be adapted to be used in a vehicle, such vehicle not being claimed. It is understood that

applicant may not desire to claim the vehicle. However, if the prior art teaches structure able to function as claimed, then such prior art meets those limitations. Therefore, it is suggested that the structure to enable such structure to function as claimed be better defined. As such, language including the spring-biased dowel integrally, unitarily formed and connected to the body positioned at and along an end (edge) would receive favorable consideration.

In view of the Examiner's suggestions and although the applicants do not agree with the Examiner that the prior art teaches structure able to function as claimed, the applicants have amended claim 1 herein to include the limitations that the spring-biased dowel is **integrally** connected to the body and extends **at and along an edge** of the body. Therefore, it is respectfully submitted that the structure of the portable tray defined in amended claim 1 to enable the tray to function as claimed is now better defined. As such, favorable consideration of patentability of amended claim 1 is respectfully requested.

Also, the applicants have added claim 21 to claim a vehicle an interior of which the tray of amended claim 1 is adapted to be used in. In view of the Examiner's suggestions in connection with claim 1, it is respectfully submitted that the structure of the vehicle to enable the tray to function as claimed is well defined. As such, favorable consideration of patentability of new claim 21 is respectfully requested.

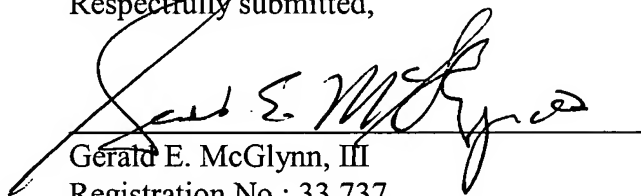
The applicants respectfully submit that the deficiencies in the teachings of the combination of the Hansen '586 and Kuntz '880 patents are not overcome in the disclosure of the Sammons '202 patent. Thus, none of the references, alone or in combination with either or both of the other references, discloses or suggests the portable tray for use at multiple locations of the interior of a vehicle described in amended claim 1 or the vehicle including an interior having a plurality of structural components and such tray described in new claim 21.

The applicants respectfully submit that amended independent claim 1 recites structure that is not disclosed or suggested by the prior art and is patentably distinguishable from the subject matter of the references of record in this case. Claims 15 – 19 are all ultimately dependent upon amended claim 1 and add further perfecting limitations thereto. The applicants also respectfully submit that new independent claim 21 recites structure that is not disclosed or suggested by the prior art and is patentably distinguishable from the subject matter of the references of record in this case. As such, the prior-art references, in combination with each other or each reference standing alone, do not suggest the respective subject inventions as defined in these claims.

Conclusion

Independent claim 1 recites structure that is neither disclosed nor suggested by the prior art and is patentably distinguishable from the cited art discussed above. Each of claims 15 – 19 is dependent upon claim 1 and adds further perfecting limitations. Independent claim 21 also recites structure that is neither disclosed nor suggested by the prior art and is patentably distinguishable from the cited art discussed above. Accordingly, the applicants respectfully request that the rejections be withdrawn and solicit allowance of the claims pending in this case.

Respectfully submitted,



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